

Procedure 6 – HK

Kindergarten Students with Disabilities (HK)

Data Elements:	Attendance Days	State Aid Category
	Evaluation Status	Status End
	Last Location of Attendance	Status End Date
	Membership Days	Status Start Date
	Percent Enrolled	Grade Level
	Primary Disability	English learner (EL) (ages 3 and older)
	Gender	Birthdate
	Economic Status	Service Hours
	Transportation District Number	Transportation District Type
	Transportation District Category	

For students in grades older than kindergarten, the existence of an Individualized Education Program (IEP) is irrelevant to the students' grade assignment or calculation of Average Daily Membership (ADM). However, for kindergarten students, the existence of an IEP affects both the Student Grade Level and the calculation for ADM.

All kindergarten students with a current IEP must be reported on the Minnesota Automated Reporting Student System (MARSS) as grade HK. Kindergarten students who do not have an IEP are reported as grade KA, KB, KC, etc.

Definitions

Grade HK. Kindergarten students with disabilities (grade HK) meet all of the following criteria.

1. At least age 5 as of September 1 of the current school year or have met the board adopted policy and criteria for early kindergarten entrance.
2. Enrolled in an academic portion of a kindergarten class, parent has enrolled them in kindergarten.
3. Have a current IEP and receives special education services during the enrollment record. These special education services may include instruction from a licensed special educator, speech and language services, etc.

Students who were enrolled in an early childhood special education program in June, but will either turn age 7 by September 1, or will be enrolled in kindergarten in the fall, are considered kindergarten students with disabilities (starting July 1), i.e., the year the students start academic kindergarten.

Example: Students who have received early childhood special education services, grade Early Childhood (EC), through June of 2017, and will enter kindergarten during the fall of 2018 are reported:

- In grade EC for the 2016-17 school year (July 1, 2016, through June 30, 2017); and
- In grade HK beginning July 1 even if the students continue participating in an early childhood special education program.

Kindergarten students with disabilities who will grade progress to first grade the following school year are reported in grade HK through the end of the school year. If their IEP requires Extended School Year (ESY), they are reported as first-graders effective July 1.

General Reporting Procedures

The same data elements and general reporting guidelines used to report older students are also used for reporting kindergarten students with disabilities.

For example:

1. A full student record is required including State Student Identification Number (SSID), Attendance and Membership Days (or hours), etc.
2. Only one school may report students during a given time period. There should be no date overlaps. Students who receive services from more than one district or school at a time must be reported by only one district or school. The services received at both districts/schools must be included. Refer to Procedure 5.
3. When students are enrolled in more than one school or district, both schools/districts must use the same SSID.
4. The enrollment status record for students whose Resident District, State Aid Category (SAC), Student Grade Level, Special Education Evaluation Status (SEES), Instructional Setting etc., change during the year must be terminated and a new enrollment record started.
5. Use Last Location of Attendance (LLA) 05 for students age 5 or younger entering public school for the first time. Use LLA 00 for students enrolled in this district last year and returning this year with no intervening enrollments. Refer to the Last Location of Attendance discussion in the data elements section of the MARSS manual.
6. Use SAC 00 for residents of the reporting district. Use SAC 01 for students who open enrolled in the reporting district. Use SAC 19 for students placed in the reporting district by the resident district or who are foster children with an IEP. Cooperatives should use SAC 10 for students enrolled. Use SAC 00 for foster children who do not have an IEP but who receive evaluation services.

Kindergarten students with disabilities generate state aid just as other students; their State Aid Category (SAC) and Student Resident District Number determine which district receives the state aid. Refer to the discussion regarding State Aid Category.

7. Students enrolled until the end of the school year should be assigned a Status End code 40. It is unnecessary but permissible to withdraw kindergarten students with disabilities on the last day of class, if the students continue through June in an extended-year program. Use Status End code 99 and re-enroll student for the June extended-year membership. Use Status End code 40 on the student's last day of membership in June.
8. For the fall submission students who have not been withdrawn as of the fall report date may or may not have attendance and membership data reported. Only the year-end data are used for calculating ADM.
9. A paraprofessional on the bus, even if assigned to an individual student, does not generate student membership.

10. Public school students with an IEP, including those reported in grade EC, are considered as enrolled. If they are enrolled on October 1, they will be counted on the school's October 1 enrollment. If they are reported as eligible for free or reduced-price meals (Economic Indicator 1 or 2), they will generate compensatory revenue.

Status Start and End Dates

Minnesota statutes allows kindergarten students with disabilities (HK) to generate membership during a 12-month fiscal year. The fiscal year is defined as July 1 through June 30. For MARSS reporting purposes, any special education services provided under an IEP and/or evaluation received during that time should be included on the current year's MARSS files. Students, age 3 or older need to have extended school year (ESY) indicated on their IEP to include summer membership on MARSS. Status Start Date and Status End Date may be any dates between July 1 and June 30 of the current school year. The student's Attendance and Membership Days (hours) should include all those provided between those two dates and within the student's enrollment period.

The Status Start Date for HK students with an IEP (SEES **Change** 4 or 6) is the date that both:

1. The parent or guardian signed the IEP; and,
2. The special education services have started.

Students whose IEP is terminated are assigned a Status End Date of the last day of service or the termination date, whichever occurs first.

The fall MARSS data are used to calculate the number of students enrolled on December 1 and who have a current IEP (unduplicated child count). Status Start and Status End Dates are used to determine whether a

student is enrolled on December 1. SEES of **Change** 4 or 6 is used to determine existence of an IEP. It is

imperative that students who do not have a current IEP on December 1 are not reported with a SEES of **Change** 4 or 6 on the enrollment record that includes December 1

Assignment of Primary Disability

Refer to the student's IEP and/or the evaluation report for the disability that should be reported. Students age 6 or younger may be reported with a Primary Disability 12 developmental delay (refer to data element for primary disability for more information) or with any other more specific disability code. Students age 7 or older may not be reported as developmental delay by federal reporting requirements. District special education staff must re-evaluate students eligible for special education under developmental delay prior to their seventh birthday to determine either the appropriate special education disability category or that the student is no longer a child with a disability and must be terminated from special education. A new enrollment record must be created each time a student's primary disability changes.

Assignment of Primary Disability Instructional Setting

Refer to the student's case manager for the instructional setting that should be reported. Students age 3 through 5 must be assigned early childhood special education instructional setting codes of 30-45. Students who are age 6 or older must be assigned an instructional setting code of 01-08. A new enrollment record must be created each time a student's instructional setting changes. A new enrollment record is needed when a student turns 6 because the coding of the instructional setting changes.

Special Education Service Hours

Special Education Service Hours are required on all Kindergarten students with disabilities (i.e., grade HK with a SEES **Change** 4or 6).

- Hours of special education services reported to MARSS are in conformance with Minnesota Rules, part 3525.1310 State Aid for Special Education Personnel.
- Direct and Indirect time of certified and licensed personnel (including occupational therapists (OTs), physical therapists (PTs), nurses, etc., who are licensed by agencies other than the Professional Educator Licensure Standards Board) are included.
- Program and one-to-one paraprofessionals. Licensed Nurse Practitioners (LPNs), interpreters, and personal care assistants are NOT included when calculating the special education service hours to be entered on MARSS.

The time regular kindergarten teachers provide instruction is not included in Special Education Service Hours.

Kindergarten Students with Disabilities Reporting

Kindergarten students who have an IEP during the entire school year July 1 through June 30 whose resident district, SAC, percent enrolled, etc., do not change, need only one enrollment record. There is no need to create a separate record for any summer membership provided through Extended School Year (ESY). However, no error is created if the summer service is reported on a separate record(s). To claim membership in the summer, ESY must be checked on the students IEP.

Kindergarten students who start the year without an IEP, but an IEP is written mid-year, will have at least two enrollment records.

1. The first record will be one for grades KA, KB, etc., for the time students do not have an IEP. The Attendance and Membership Days on this enrollment record should reflect only those days students were in grade KA, KB, etc. Use a Status End code 01 on this enrollment record.
2. The second record will be for grade HK for the time students have an IEP. Use Last Location of Attendance (LLA) 22 on the second enrollment record if students remain in the same school. The Attendance and Membership Days on this enrollment record may be reported in either days or hours. Refer below.
3. The IEP of a kindergarten student must include a reference to kindergarten participation with nondisabled kindergarten peers or only the special education services are eligible to claim for

membership and state aid. For example, a statement in the “Least Restrictive Environment (LRE) Justification” section of the IEP could read:

“The student will attend full-time kindergarten with supplemental services from the resource room.”

Early Intervening Services

Kindergarten students without an IEP or prior to having an IEP may qualify for and receive Early Intervening Services – SEES 8. However, once any student has had an IEP, the student is ineligible to report for Early Intervening Services during the same school year.

Age 5 to Age 6

When a 5-year-old student with an IEP turns 6, close out the enrollment record with Status End 50. The Status End Date should be the last membership day before the student’s sixth birthday. Re-enroll the student on the student’s sixth birthday or the first membership day following the sixth birthday with Last Location of Attendance 24. Use one of the Instructional Settings 01 through 08.

15-Day Withdrawal for HK

Kindergarten students absent for 15 consecutive school days during the regular school year, or five consecutive school days during summer school or intersession classes of flexible school year programs, must be withdrawn from the attendance rolls and no further membership claimed until the student returns to class. Kindergarten students on full day/alternate day or half day/every day schedules are considered absent 15 school days when three weeks have elapsed. Use Status End code 14.

However, kindergarten students absent for 15 or more consecutive school days and receiving homebound education services will need to have a new record created for homebound. Refer to data element for criteria on homebound instruction.

Attendance and Membership for Kindergarten Students with Disabilities

For kindergarten students with disabilities who have an irregular schedule and are not required to participate in instructional activity for the same amount of time every day, it is easiest to report attendance and membership in terms of hours.

Example: This type of student is one who is scheduled to participate for five hours on Monday, Wednesday and Friday and only two hours on Tuesday and Thursday.

Sum all attendance and membership hours for the enrollment period and report the hours in the Attendance and Membership Days field; evaluation hours may be included if they were provided outside the normal school day. Indirect services can be claimed for kindergarten-disabled as long as it is specified in the IEP.

Percent Enrolled must equal 999 for Attendance and Membership Days to be interpreted as hours.

The formula for ADM is:

$$\frac{\text{Membership Days in terms of hours}}{875 \text{ Hours}}$$

(with a maximum of 1.00 ADM per student)

Days Method. For kindergarten students with disabilities who have a set, uniform schedule every day, where special education services were provided during the normal school day, the day's method may be easier. Take care that Percent Enrolled is reported accurately.

Examples:

- Students are scheduled to participate for three and one-half hours Monday through Friday.
- Students are scheduled to participate for six hours every Monday, Wednesday and Friday.

Under Attendance and Membership Days, report the actual number of attendance and membership days.

Examples:

- Students are enrolled for 170 days, three and one-half hours every day, excluding meals. Report 170 Membership Days and the number of Attendance Days the students actually attended. Percent Enrolled must be calculated as the number of hours per day times 100. For three and one-half hours every day, excluding meals, the Percent Enrolled equals 350 (3.5 hours x 100).
- Students are enrolled for 90 days, six hours on each of these days, excluding lunch. Report 90 Membership Days and the number of Attendance Days the students actually attended. Percent Enrolled must be calculated as the number of hours per day times 100. For six hours every day, excluding meals, Percent Enrolled equals 600 (6 hours x 100).

The formula for ADM is:

$$\frac{(\text{Percent Enrolled} / 100) \times \text{Membership Days}}{875}$$

(with a maximum of 1.00 ADM per student)

Caution: A Percent Enrolled of other than 999 is interpreted by MARSS programming to be the number of hours of instruction per day times 100. Students reported in grade HK and who have a Percent Enrolled of 100 will create an error on the MARSS Web Edit System (WES), unless this is a shared-time (SAC 16, 17 or 18) record.

Attendance and Membership That Districts Are Eligible to Claim

Attendance

For students with an IEP, attendance should include time that students were both scheduled to attend and actually participated in the instructional activities. It excludes time students were scheduled to attend but were absent. Eligible indirect services may be claimed as attendance as well. Refer below.

Membership

Membership generally includes the time students were scheduled to attend. It includes time the students were absent, for up to 15 consecutive days. Refer to Membership Days in the Data Elements and Definitions portion of the MARSS Manual for a discussion of the 15-day withdrawal provision for students in any of grades kindergarten through 12.

Days on which students are not scheduled to attend will not generate membership.

Indirect services can generate membership hours only if the IEP documents that it occurs outside of the student's regular school day.

Membership excludes meal times.

Kindergarten ADM/Pupil Units

Minnesota Statutes, section 126C.05, subdivision 1(c), provides a formula for calculating ADM for kindergarten students who have an IEP. The ADM for kindergarten students with disabilities equals the total membership hours divided by 875. Students whose IEP requires full-day, daily kindergarten will generate close to 1.0 ADM. The pupil unit weighting factor for grade HK is 1.0. Only students who receive at least 875 hours of kindergarten and special education services combined will generate 1.0 ADM and pupil units.

The ADM for kindergarten students with disabilities is to be calculated as a *ratio of the number of hours of evaluation and educational services required in the fiscal year by the pupil's individual education program plan to 875, but not more than one per Minnesota Statutes, section 126C.05*. For that reason, both of the methods described above of reporting attendance and membership for kindergarten students with disabilities allow MDE to determine students' attendance and membership hours, rather than days.

Meals

Students in all-day programs must be provided a lunch break. As such, their lunchtime is ineligible to claim as membership for kindergarten students with disabilities. This applies even when licensed staff directly supervise the lunch period.

However, mealtime for students in part-time or half-day programs who are provided a meal and whose mealtime is staffed as specified in the IEP may be claimed for membership.

Kindergarten students are provided a free breakfast. If the breakfast is eaten in the classroom during instructional time, the time may be included for membership.

Snacks are not considered lunch. Time during which students are provided a snack in the classroom during instructional time may be included as membership.

Homebound

If a kindergarten student with disabilities is confined to the home by a medical doctor, each hour of one-on-one instruction by an appropriately licensed teacher in the student's home would generate the same number of

membership hours that the student would have generated while attending at the school site. For example, if the student was enrolled for two hours per day, two days per week, each homebound visit would generate two hours of membership. The membership generated under homebound cannot exceed the number of membership hours that would have been generated in the center-based program.

If the IEP team designates that services will be provided in the student's home, each hour of service in the home would generate one hour of membership. To qualify for homebound, a medical note confining the student to the home must be on file.

Shared-Time

Shared-time refers to students enrolled in a non-public or home school for purposes of the compulsory attendance law and who receive special education services by a public school. Special education services can be provided at the nonpublic/home school, at the public school or at a neutral site.

For kindergarten students with disabilities that are shared-time, records need to be kept specifying that regular kindergarten instruction is provided at the non-public or home school. This time is not eligible for attendance and membership.

Summer Service

Kindergarten students with disabilities whose IEPs require ESY are eligible to generate attendance and membership during the summer months, but they are not reported with State Aid Category (SAC) 46 (ESY). Statute allows these students to generate general education revenue for the full fiscal year. For ECSE students who will enroll in kindergarten in the fall, report the July and August ESY services in the coming fiscal year's MARSS files, in grade HK, and use the same SAC as reported on the just prior school year. The June ESY is reported in the just prior school year as grade HK using the same SAC that is reported for the student in the just prior school year. If the student will enter first grade in the fall, report the July and August ESY services as a first-grader using SAC 46. No attendance and membership hours are reported on SAC 46 ESY records for students in grades one through 12.

In most cases, there is no need to create a separate enrollment record for the July-August services versus the traditional school-year services. Simply keep students on the attendance rolls. Weeks when no instruction is provided will not generate membership. For students in this extended-year program, attendance and membership are calculated exactly as during the regular school year.

IEP

Students must have a signed IEP before generating membership under a SEES **Change** 4 or 6. The IEP must state the students' schedule, including the amount, frequency, start date and duration of services, reference parent-teacher conferences, parent training, home visits and any other indirect services.

The date the IEP is terminated or services end is the Status End Date.

Emergency School Closing

When an entire school day is canceled, for any reason, no membership is generated for any student. However, when a school day starts late or ends early due to emergency circumstances (not a scheduled change), kindergarten students with disabilities who would normally generate membership that day continue to generate membership although they would be marked as absent.

Example: Kindergarten students with disabilities scheduled for Wednesday morning services may generate the normal Wednesday morning membership if school started late due to a critical weather situation and the afternoon students attended. The morning students are reported as absent but in membership. However, if the session that was canceled due to late start or early dismissal is re-scheduled, the membership cannot be claimed twice. Do not count the membership from the canceled session.

A district could choose to exclude that session from the membership hours and then the students would not have to be marked absent. The choice is provided because these students' ADM may be impacted by the emergency closing, whereas older students' ADM is not impacted.

Early Childhood Health and Developmental Screening

Kindergarten students with disabilities can also receive early childhood health and developmental screening. A child/student with a grade PS (early childhood health and developmental screening) MARSS record may have an overlapping MARSS record with a grade of EC, HK or K; however, not with the same Status Start Date in the same school. When this occurs, the MARSS edit will allow only the grade PS record to pass. It is recommended that districts use School Number 005 to exclusively report all grade PS MARSS records. School Number 005 has been approved for all districts; authorization is not required to add it to the district's school file.

The time that the child is screened cannot be claimed as attendance or membership in the grade HK enrollment record.

Records for Audit Purposes

The following records are required to be maintained for each student, for a minimum of three years, for audit purposes.

1. The student's IEP stating hours and/or days of services required by the IEP and a dated parent signature for both the initial and any continued IEP. For students who leave the district during the year and the original is sent elsewhere, make a photocopy for your records.
2. For students receiving homebound services, maintain the dates and length of the teacher's visits, for example, the teacher's travel log.
3. For each student, maintain a calendar of the scheduled contact days and length of each day.
4. Maintain a record of daily attendance for each student. Paper records identifying entry and withdrawal dates must be maintained for all students not enrolled in the program for the entire school year. Refer to *Appendix H* of the MARSS manual for more detailed information on records for auditing purposes.
5. Maintain a record of the date and time of any parent-teacher conference(s), parent training sessions and/or any other eligible indirect services included in membership for kindergarten students with disabilities.
6. Keep a copy of any worksheets used to convert days to hours.